

AMENDMENTS TO THE DRAWINGS:

The Office Action objects to the drawings. This Amendment encloses a replacement drawing sheet which corrects Figure 6 to include the legend "Prior Art." Applicants respectfully request withdrawal of this objection.

Attachment: Annotated Sheet Showing Changes
 Replacement Sheet

REMARKS

Claims 1-20 are all the claims presently pending in the application. Claims 1, 5, and 7-11 are amended to more clearly define the invention and claims 15-20 are added. Claims 1, 7-8, and 10-11 are independent.

These amendments are made only to more particularly point out the invention for the Examiner and not for narrowing the scope of the claims or for any reason related to a statutory requirement for patentability.

Applicants also note that, notwithstanding any claim amendments herein or later during prosecution, Applicants' intent is to encompass equivalents of all claim elements.

Applicants gratefully acknowledge the Examiner's indication that claim 9 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and to overcome the 35 U.S.C 112, second paragraph rejection. However, Applicants respectfully submit that all of the claims are allowable.

Claims 1 and 5-7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the Yasuhara reference. Claims 2-4, 8, and 10-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Yasuhara reference.

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

An exemplary embodiment of the claimed invention as defined by, for example, independent claim 1, is directed to a play-back device that includes a plurality of play-back sources, a first output unit and a second output unit for selecting at least one of the play-back sources to output play-back signals from the at least one of the play-back sources, a first operation unit for operations relating to the first output unit, a second operation unit for operations relating to the second output unit, and a control unit for inhibiting, when a common one of the plurality of play-back sources is selected by the first output unit and the second output unit and if it is decided that the play-back signals from the common play-back source are in an output-stopped state, the release of the output-stopped state even if the operation to release the output-stopped state is done from the second operation unit.

Conventional play-back devices, when in a mode that accepts key operations from both a front operation unit and a rear operation unit and when it is decided that the play-back signals from a common play-back source is in an output-stopped state, permits the rear

operation unit to cancel the output-stopped state. Thus, for example, when a front passenger sets the output device into an output-stopped state or when the device automatically sets an output-stopped state in response to a telephone call, the rear passenger may release the output-stopped state against the will of the front passenger.

In stark contrast, the present invention provides a play-back device with a control unit that inhibits the release of the output-stopped state by a second operation unit, when a common one of the plurality of play-back sources is selected by the first output unit and the second output unit and if it is decided that the play-back signals from the common play-back source are in an output-stopped state. In this manner, the present invention may reliably prevent the output-stopped state of a common play-back source from being released through an operation of a second operation unit.

II. THE DISCLOSURE OBJECTION

The Examiner objects to the disclosure because the Examiner alleges that “The specification does not provide the meaning and/or function of ‘SP/HP’ key.”

Applicants respectfully submit that the specification very clearly does provide the meaning and the function of the SP/HP key. In particular, the specification provides a detailed description regarding the SP/HP key at, for example, page 29, lines 5 – 18. The specification explains that in an exemplary embodiment of the present invention “The body device 2 has dual media functions capable of switching and setting a single mode or a dual mode as the system setting mode so that it is enabled to switch and set the single mode or the dual mode by the operation of the SP/HP key” (Emphasis added, Id.).

The specification further explains that in the single mode, sound signals are output from the speakers (lines 11 – 13) and in the dual mode, the sound signals from one of the playback devices are output to the speakers while the sound signals from another playback device is output to headphones. (lines 14 – 18).

Thus, one of ordinary skill in the art understands that the “SP/HP” key means **SP**peaker/**Head**Phones and also very clearly understands the operation of that key.

In view of the foregoing, the Examiner is respectfully requested to withdraw this objection.

III. THE 35 U.S.C. § 112, SECOND PARAGRAPH REJECTION

The Examiner alleges that claim 9 is indefinite. While Applicants submit that such would be clear to one of ordinary skill in the art to allow them to know the metes and bounds of the invention, taking the present Application as a whole, to speed prosecution claim 9 has been amended in accordance with Examiner Dinh's very helpful suggestions.

In view of the foregoing, the Examiner is respectfully requested to withdraw this rejection.

IV. THE PRIOR ART REJECTION

A. The 102(e) Yasuhara reference rejection

Regarding the rejection of claims 1 and 5-7, the Examiner alleges that the Yasuhara reference teaches the claimed invention. Applicants submit, however, that there are elements of the claimed invention which are neither taught nor suggested by the Yasuhara reference.

The applied reference does not teach or suggest the features of the claimed invention including a control unit for inhibiting, when a common one of the plurality of play-back sources is selected by the first output unit and the second output unit and if it is decided that the play-back signals from the common play-back source are in an output-stopped state. As explained above, these features are important for reliably preventing the output-stopped state of a common play-back source from being released through an operation of a second operation unit.

The Office Action alleges that the Yasuhara reference's disclosure of a control unit having the ability to disable the operation of a rear controller corresponds to the features recited by the claims.

However, contrary to this allegation, the control unit that is disclosed by the Yasuhara reference does not inhibit operation of the rear controller if it is decided that the play-back signals from a common play-back source are in an output-stopped state.

Rather, and in stark contrast, the Yasuhara reference discloses a play-back device that includes an enabling switch that selectively disables and enables a rear controller. The selection as to whether the enabling switch disables or enables the rear controller is not based upon a decision as to whether the play-back signals from a common play-back source is in an output-stopped state. The enabling switch that is disclosed by the Yasuhara reference controls operation of the rear controller regardless of whether it is decided that the play-back

signals from the common play-back source are in an output-stopped state or not.

The Yasuhara reference discloses that the enabling switch determines whether “operation of the rear controller is enabled” [0013] or whether “the head unit disables a signal issued by a rear controller” [0015] and [0114]. In the first alternative, all operations of the rear controller is removed when the enabling switch disabled. In the second, alternative, the rear controller continues to operate, however, the head unit ignores the signals received from the rear controller [0115 – 0117]]. In either case, when disabled, “only a front user is allowed to control the rear audio source.” [0053] and [0071 – 0072].

Clearly, the Yasuhara reference does not teach or suggest a control unit for inhibiting, when a common one of the plurality of play-back sources is selected by the first output unit and the second output unit and if it is decided that the play-back signals from the common play-back source are in an output-stopped state.

Therefore, the Yasuhara reference does not teach or suggest each and every element of the claimed invention. Therefore, the Examiner is respectfully requested to withdraw this rejection of claims 1 and 5-7.

B. The 103(a) Yasuhara reference rejection

Regarding the rejection of claims 2-4, 8, and 10-14, the Examiner alleges that it would have been obvious to one of ordinary skill in the art to modify the disclosure of the Yasuhara reference to form the claimed invention. Applicants submit, however, that the reference would not have been so modified and, even if modified, the modification would not teach or suggest each and every element of the claimed invention.

As explained above, the applied reference does not teach or suggest the features of the claimed invention including a control unit for inhibiting, when a common one of the plurality of play-back sources is selected by the first output unit and the second output unit and if it is decided that the play-back signals from the common play-back source are in an output-stopped state. As explained above, these features are important for reliably preventing the output-stopped state of a common play-back source from being released through an operation of a second operation unit.

Further, the Office action fails to present a *prima facie* case for obviousness.

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the

references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings.”

M.P.E.P. §2143

In the present instance, the Examiner has not even attempted to provide any motivation at all for making the Examiner’s proposed modification. The Office action clearly fails on its face to present a *prima facie* case for obviousness.

Rather, the Examiner merely alleges that “someone within the level of skill in the art at the time of the invention was made would be able to use an interruption detecting unit and an output stop setting unit in YASUHARA’s car audio device as claimed.” Such an allegation is clearly improper upon which to base an obviousness rejection.

**“FACT THAT THE CLAIMED INVENTION IS WITHIN THE
CAPABILITIES OF ONE OF ORDINARY SKILL IN THE ART IS NOT
SUFFICIENT BY ITSELF TO ESTABLISH *PRIMA FACIE*
OBVIOUSNESS”**

“A statement that modifications of the prior art to meet the claimed invention would have been ‘well within the ordinary skill of the art at the time the claimed invention was made’ because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references.” M.P.E.P. 2143.01.IV.

The Examiner’s allegation that one of ordinary skill in the art would be able to use items is clearly not sufficient to establish a *prima facie* case of obviousness.

Therefore, the Examiner is respectfully requested to withdraw the rejection of claims 2-4, 8, and 10-14.

V. FORMAL MATTERS AND CONCLUSION

The Office Action objects to the Title. This Amendment amends the Title in accordance with Examiner Dinh’s very helpful suggestions. Applicants respectfully request withdrawal of this objection.

The Office Action objects to the drawings. This Amendment encloses a replacement drawing sheet which corrects Figure 6 to include the legend “Prior Art.” Applicants

respectfully request withdrawal of this objection.

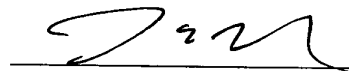
In view of the foregoing amendments and remarks, Applicants respectfully submit that claims 1-20, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 11/28/06



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FIG. 6 PRIOR ART

